

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION
CEASE AND DESIST ORDER NO. 98-74**

**REQUIRING THE CITY OF CORONADO TO CEASE AND DESIST
DISCHARGES TO NORTH BEACH WHICH VIOLATE PROHIBITIONS OF
THE WATER QUALITY CONTROL PLAN, FOR THE SAN DIEGO BASIN,
AND WASTE DISCHARGE REQUIREMENTS FOR STORMWATER AND
URBAN RUNOFF FROM THE COUNTY OF SAN DIEGO
THE INCORPORATED CITIES OF SAN DIEGO COUNTY
AND THE SAN DIEGO UNIFIED PORT DISTRICT
(ORDER NO. 90-42, NPDES NO. CA 0108758)**

The California Regional Water Quality Control Board, San Diego Region (hereinafter SDRWQCB), finds that:

1. The City of Coronado is discharging waste in violation of waste discharge prohibitions contained in the Water Quality Control Plan, San Diego Basin (hereinafter Basin Plan) because it has discharged waste to waters of the state in a manner causing, or threatening to cause a condition of pollution, contamination or nuisance [Waste Discharge Prohibition 1]; and
2. The City of Coronado is discharging waste in violation of requirements contained in Order No. 90-42 because it has:
 - a. Failed to develop and implement BMPs (Best Management Practices) to reduce the discharge of pollutants to waters of the United States to the MEP (Maximum Extent Practicable) [Part I.D];
 - b. Failed to prohibit the discharge of groundwater to the storm water conveyance system when the discharge causes or contributes to violations of water quality standards or are significant contributors of pollutants to waters of the United States [Part VIII.B]; and
 - c. Discharged pollutants that create a condition of pollution, contamination, or nuisance [Part XIII.A].
3. This enforcement action is being taken for the protection of the environment and as such is exempt from the provisions of CEQA (California Environmental Quality Act) (Public Resources Code § 21000, et seq.) in accordance with Title 14, California Code of Regulations, Chapter 3, § 15321.
4. The SDRWQCB notified the City of Coronado and interested agencies and persons of its intent to conduct a public hearing concerning violations or threatened violations of waste discharge requirements.

5. The SDRWQCB in a public hearing, heard and considered all testimony pertinent to this matter. The record before the SDRWQCB in this proceeding includes all documents related to discharges from the North Beach Outfall of the City of Coronado storm water conveyance system or discharges of ground water to the storm water conveyance system, including, but not limited to, all orders of the SDRWQCB, technical and monitoring reports, correspondence, internal memoranda, maps, charts, diagrams, photographs and other documents.

IT IS HEREBY ORDERED that, pursuant to California Water Code § 13301, the City of Coronado shall cease and desist from discharging in violation of requirements and prohibitions contained in Order No. 90-42 and of waste discharge prohibitions contained in the Basin Plan.

A. DIRECTIVES

1. The City of Coronado shall identify the source of pollutants discharged from the North Beach outfall in violation of Order No. 90-42 and prohibitions contained in the Basin Plan, and shall develop and implement whatever measures are necessary to ensure compliance with Order No. 90-42 and the Basin Plan in accordance with the following Time Schedule:

TIME SCHEDULE

| TASK | COMPLETION DATE | COMPLIANCE REPORT DATE |
|--|--------------------|------------------------------|
| a. Locate source of beach pollution. | 30 August 1998 | 14 September 1998 |
| b. Evaluate existing non-structural storm water BMP program and implement enhanced program to abate violations. | 12 August 1998 | 27 August 1998 |
| c. Identify, select and begin implementation or construction of short term measures to correct violations. | 12 August 1998 | 27 August 1998 |
| d. Identify, select and begin implementation or construction of long term measures to correct violations. | 4 December 1998 | 18 December 1998 |
| e. Cease and desist from discharging in violation of requirements and prohibitions contained in Order No. 90-42 and of waste discharge prohibitions contained in the Basin Plan. | 30 April 1999 | 14 May 1999 |

2. The City of Coronado shall submit to the SDRWQCB written compliance reports certifying under penalty of perjury under the laws of the state of California that

the City has completed or failed to complete each task prescribed by Directive A.1. by the required Completion Date in accordance with the time schedule prescribed by Directive A.1. of this order; the reports include any technical reports generated by the City or its consultants in response to the requirements set forth in Directive A.1.

B. PROVISIONS

1. Nothing in this Order shall be construed to relieve the City of Coronado from civil liability or criminal penalties resulting from violations of the Basin Plan, Ocean Plan, Order No. 90-42, and Order No. 97-69.
2. The City of Coronado shall submit reports required under this Order to:

Surface Water Unit
California Regional Water Quality Control Board
San Diego Region
9771 Clairemont Mesa Boulevard, Suite A
San Diego, California 92124

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on 8 July 1998.

John H. Robertus
Executive Officer

JHR:mpm:wjg/ftm

File: 10-5003-02
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